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RETURN RECEIPT REQUESTED

STATE OF TENNESSEE  
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
JOHNSON CITY ENVIRONMENTAL FIELD OFFICE  
2305 SILVERDALE ROAD  
JOHNSON CITY, TENNESSEE 37601-2162  
(423) 854-5400 STATEWIDE 1-888-891-8332 FAX (423) 854-5401

June 29, 2011

Mr. Ted Cope  
891 Stanley Valley Road  
Rogersville, Tennessee 37857

**RE: Notice of Violation  
Cope Poultry Farms CAFO  
Permit No. SOP00051  
Hawkins County**

Dear Mr. Cope:

Division of Water Pollution Control personnel conducted a compliance evaluation inspection at your CAFO on June 24, 2011.

The following deficiencies for the General State Operating Permit for CAFO's were found during the inspection.

1. Dead chickens observed outside burial pit. **Section 4.10 of State Operating Permit states: Failure to properly manage mortalities which at a minimum must meet the requirements of NRCS conservation practice standards 316 (Animal Mortality Facility) and 317 (Composting Facility) must be followed, as applicable.**
2. At the time of inspection none of the following records were available as required by **Section 5.2 Retention of Records which states;**

The following records shall be retained and available for inspection, upon request by the commissioner, an agent of the division or the EPA, for five years:

- b. Documentation regarding the following visual inspections:
  1. Weekly inspections of all storm water diversion devices, runoff diversion structures and devices channeling contaminated storm water to the wastewater and manure storage and containment structure,
  2. Daily inspections of water lines, including drinking or cooling water lines.

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- e. Mortalities management and practices used to comply with the nutrient management plan;
- i. Date(s) manure, litter, or process waste water is applied to each field;
- j. Weather conditions at time of application and for 24 hours prior to and following application;
- r. Date(s) of manure application equipment inspection and calibration; and
- s. A log of all measurable rainfall events.

If you have any questions concerning this correspondence, please contact me at 423-854-5451 or via e-mail at [mike.mcclelland@tn.gov](mailto:mike.mcclelland@tn.gov)

Sincerely,



Mike McClelland  
Johnson City Environmental Field Office  
Division of Water Pollution Control

MM/140111180